



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of**

**C. STEVEN MCDANIEL**  
**FRANK M. RAUSHEL**  
**JAMES R. WILD**

**Serial No.: 08/252,384**

**Filed: June 1, 1994**

**For: RECOMBINANT ORGANO-  
PHOSPHORUS ACID  
ANHYDRASE AND METHODS  
OF USE**

**Group Art Unit: 1652**

**Examiner: Pak, Yong D**

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with the U.S. Postal Service via Express Mail No.  
EC357723906 with sufficient postage addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231,  
on the date indicated below:

3/9/05

Date \_\_\_\_\_

Michelle Kuhn  
Michelle Kuhn

Michelle Kuhn

**Attorney Docket: RACT-00100**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## Transmittal Letter

Dear Sir:

Enclosed are the following:

1. Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Statement Regarding Sequence Listing;
3. Sequence listing (hard copy and disk);
4. Petition for Extension of Time Under CFR 1.136(a); and
5. Acknowledgment Postcard.

PATENT

RACT-00100

If any additional fee is required, the Office is requested to debit Deposit Account No.  
50-1085 for such fees.

Respectfully submitted,

Date: 03/09/05



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C. Steven McDaniel  
Registration No. 33,962

McDaniel & Associates, P.C.  
P.O. Box 2244  
Austin, Texas 78768-2244  
(512) 472-8282



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/252,384	06/01/1994	C. STEVEN MCDANIEL	TAMK145	3543

27922 7590 01/12/2005

C. STEVEN MCDANIEL  
MCDANIEL & ASSOCIATES, P.C.  
P.O. BOX 2244  
AUSTIN, TX 78768



EXAMINER
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PAK, YONG D

ART UNIT	PAPER NUMBER
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1652

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

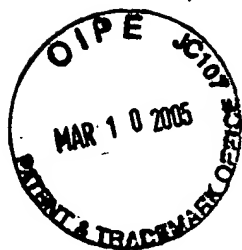
MAY-21-2003 WED 10:10 AM

MCDANIEL AND ASSOCIATES

5124728181

PATENT

ACT-00200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

C. STEVEN MCDANIEL  
FRANK M. RAUSHEL  
JAMES R. WILD

Serial No.: Continuation of 08/252,384

Filed: January 2, 2002

For: RECOMBINANT ORGANO-  
PHOSPHORUS ACID  
ANHYDRASE AND METHODS  
OF USE

Group Art Unit: Unknown

Examiner: Unknown

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No. ET 157746349 US with sufficient postage addressed  
to: Assistant Commissioner for Patents, Washington, D.C.  
20231, on the date indicated below:

12 03  
Date

Reynetta DeVea  
Reynetta DeVea

Attorney Docket: RACT-00200

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Please amend the Specification by adding the following paragraph at the first paragraph of page 1.

This application is a continuation of US Serial Number \_\_\_\_\_, filed December 23, 2002, which is a divisional of co-pending U.S. Serial Number 08/252,384, filed June 1, 1994, which is a continuation of U.S. Serial Number 07/928,540, now abandoned, which is a divisional application of U.S. Serial Number 07/344,258, filed April 27, 1989, now abandoned.

Please enter the attached Sequence Listing to the Specification as a separate paper as required.

Please cancel claims 71 and 72 and add the following new claims:

73. (New) An isolated nucleic acid molecule comprising a coding sequence, wherein the coding sequence encodes the amino acid sequence of SEQ ID NO. 2.

74. (New) The isolated nucleic acid molecule of claim 73, wherein the molecule comprises the nucleotide sequence of SEQ ID NO. 1.

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## PATENT

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75. (New) The isolated nucleic acid molecule of claim 73, wherein the molecule is a plasmid.
76. (New) The isolated nucleic acid molecule of claim 73, wherein the molecule is a viral vector.
77. (New) The isolated nucleic acid molecule of claim 73, wherein the molecule is an expression vector.
78. (New) The isolated nucleic acid molecule of claim 77, wherein the expression vector expresses an organophosphorous anhydrase enzyme in a bacterial cell.
79. (New) The isolated nucleic acid molecule of claim 77, wherein the expression vector expresses an organophosphorous anhydrase enzyme in a eukaryotic cell.
80. (New) A bacterial cell that contains the expression vector of claim 78.
81. (New) A eukaryotic cell that contains the expression vector of claim 79.
82. (New) The cell of claim 81, further defined as a mammalian cell.

Applicant believe there is a filing fees for the filing of this Preliminary Amendment and does hereby authorizes the Assistant Commissioner for Patents to deduct any said fees from Deposit Account 50-1085 that may be necessary in filing this Preliminary Amendment.

Respectfully submitted,



C. Steven McDaniel  
Reg No. 33,962  
ATTORNEY FOR APPLICANT(S)

C. Steven McDaniel  
McDaniel & Associates, P.C.  
P.O. Box 2244  
Austin, Texas 78768-2244  
512.472.8282  
Fax: 512.472.8181

Date: 01.02.03

Preliminary Amendment -- Page 2

MAY-21-2003 WED 10:17 AM

MCDANIEL AND ASSOCIATES

5124728181

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

C. STEVEN MCDANIEL  
FRANK M. RAUSHEL  
JAMES R. WILD

Serial No.: Continuation of 08/252,384

Filed: December 23, 2002

For: RECOMBINANT ORGANO-  
PHOSPHORUS ACID  
ANHYDRASE AND METHODS  
OF USE

Group Art Unit: Unknown

Examiner: Unknown

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ET157746852US with sufficient postage addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231,  
on the date indicated below:

12.23.02  
Date

Reynetta DeVea  
Reynetta DeVea

Attorney Docket: RACT-00200

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Please amend the Specification by adding the following paragraph at the first  
paragraph of page 1.

This application is a divisional of co-pending U.S. Serial Number 08/252,384,  
filed June 1, 1994, which is a continuation of U.S. Serial Number 07/928,540, now  
abandoned, which is a divisional application of U.S. Serial Number 07/344,258, filed  
April 27, 1989, now abandoned.

Please enter the attached Sequence Listing to the Specification as a separate paper  
as required.

Please cancel claims 1-70 and add the following new claims:

71. (New) An isolated nucleic acid sequence comprising a sequence region that  
encodes the amino acid sequence of SEQ ID NO:1.

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72. (New) A recombinant protein that consists essentially of the amino acid sequence of SEQ ID NO:1.

Respectfully submitted,

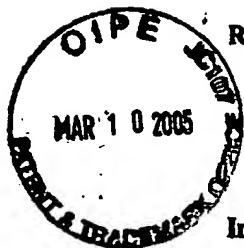
C. Steven McDaniel  
Reg No. 33,962  
ATTORNEY FOR APPLICANT(S)

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McDaniel & Associates, P.C.  
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Date: 12.23.03

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#  
FFW

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

C. STEVEN MCDANIEL  
FRANK M. RAUSHEL  
JAMES R. WILD

Serial No.: 08/252,384

Filed: June 1, 1994

For: RECOMBINANT ORGANO-  
PHOSPHORUS ACID  
ANHYDRASE AND METHODS  
OF USE

Group Art Unit: 1652

Examiner: Pak, Yong D

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E3756144-06 US with sufficient postage addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231,  
on the date indicated below:

10/13/04  
DateMichelle Kuhn  
Michelle Kuhn

Attorney Docket: RACT-00100

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Technical Center 1632  
Assistant Commissioner of Patents  
Crystal Mall 1  
Arlington, VirginiaResponse to Office Action Dated June 16, 2004

This is a reply to the Office Action mailed June 16, 2004, setting a one-month  
statutory period for response. Please enter the following amendments and remarks into the  
record.

Amendment

The Examiner is respectfully requested to enter the substitute computer readable  
copy and substitute paper copy of the "Sequence Listing" into the case.



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Examiner's Comments

The Examiner has noted in the Office Action dated June 16, 2004, that this application fails to comply with the requirements of 37 C.F.R. §§ 1.821—1.825 for the reason(s) set forth on the attached Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Specifically, the Examiner states that the paper copy of the Sequence Listing contains two sequences but the computer readable form of the Sequence Listing contains only one sequence.

Reply

Submitted herewith are:

- A substitute computer readable form (CRF) copy of the "Sequence Listing";
- A statement that the content of the paper and computer readable copies are the same and include no new matter.

*CRF still only has 1 sequence.*

The Examiner is requested to consider same and remove the basis for rejection and to forward the application to substantive examination.

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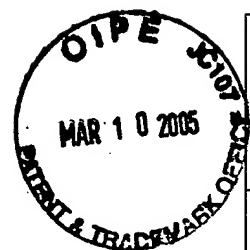
The Commissioner is authorized to charge to McDaniel & Associates P.C.  
Deposit Account No. 50/1085 for any fee necessary to make timely the filing of this  
response.

Respectfully submitted,

Date: 10.11.04

  
C. Steven McDaniel  
Registration No. 33,962

McDaniel & Associates, P.C.  
P.O. Box 2244  
Austin, Texas 78768-2244  
(512) 472-8282



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<b>Notice to Comply</b>	Application No.	Applicant(s)	
	Examiner	Art Unit	

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☒ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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